

1 **AKERMAN LLP**
2 CAROLINE H. MANKEY (SBN 187302)
3 *caroline.mankey@akerman.com*
4 CHRISTOPHER N. MCANDREW (SBN 324759)
5 *chris.mcandrew@akerman.com*
6 601 W. Fifth Street, Suite 300
7 Los Angeles, California 90071
8 Telephone: (213) 688-9500
9 Facsimile: (213) 627-6342

10 Attorneys for Defendant
11 T.W. GARNER FOOD CO.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

PHILLIP WHITE, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

T.W. GARNER FOOD CO., a North
Carolina corporation,

Defendant.

Case No. 2:22-cv-06503 -MEMF (SKx)

The Hon. Maame Ewusi-Mensah
Frimpong

**DECLARATION OF
CHRISTOPHER MCANDREW IN
SUPPORT OF DEFENDANT'S
NOTICE OF MOTION AND
MOTION TO DISMISS
PLAINTIFF'S COMPLAINT AND
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT
THEREOF**

Date: January 19, 2023
Time: 10:00 a.m.
Courtroom: 8B

AKERMAN LLP

601 WEST FIFTH STREET, SUITE 300
LOS ANGELES, CALIFORNIA 90071
TEL.: (213) 688-9500 – FAX: (213) 627-6342

601 WEST FIFTH STREET.SUITE 300
LOS ANGELES, CALIFORNIA 90071
TEL.: (213) 688-9500 - FAX: (213) 627-6342

I, CHRISTOPHER MCANDREW, declare and state as follows:

1. I am an attorney at law duly licensed to practice before all courts of the State of California and am an Associate of the law firm of Akerman LLP, attorneys of record herein for Defendant T.W. Garner Food, Co. I make this declaration in support of Defendant's Notice of Motion and Motion to Dismiss Plaintiff's Complaint and Memorandum of Points and Authorities in Support Thereof. The facts set forth herein are true of my own personal knowledge, and if called upon to testify thereto, I could and would competently do so under oath.

2. Pursuant to Central District of California Local Rule 7-3, the parties met and conferred on November 3, 2022, to discuss Defendant's proposed Motion to Dismiss. I participated in the conference, which was conducted by videoconference, and was also attended by Caroline Mankey and Felicia Nowels on behalf of the Defendant and by Zach Chrzan, and two of his colleagues, on behalf of Plaintiff. The parties thoroughly discussed the issues raised by Defendant in the Motion, but were unable to reach a resolution of any of them.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing facts are true and correct.

Executed on November 10, 2022 at Los Angeles, California.

/s/ Christopher McAndrew

CHRISTOPHER MCANDREW